

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DAVID HILL,)	
)	CIVIL ACTION NO.
Petitioner,)	
)	3:13-CV-4456-G (BN)
VS.)	
)	CRIMINAL ACTION NO.
UNITED STATES OF AMERICA,)	
)	3:03-CR-159(02)-G
Respondent.)	

**ORDER ACCEPTING FINDINGS, CONCLUSIONS AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE
JUDGE, AND DENYING A CERTIFICATE OF APPEALABILITY**

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. An objection was filed by petitioner. The district court reviewed *de novo* those portions of the proposed findings, conclusions, and recommendation to which objection was made, and reviewed the remaining proposed findings, conclusions, and recommendation for plain error. Finding none, the court **ACCEPTS** the findings, conclusions, and recommendation of the United States Magistrate Judge.

It is therefore **ORDERED** that petitioner's motion to vacate, set aside, or correct sentence is **TRANSFERRED** to the **United States Court of Appeals for the Fifth Circuit** for appropriate action.

In the event the petitioner files a notice of appeal, the court notes that:

- () the petitioner will proceed *in forma pauperis* on appeal.
- (X) the petitioner will need to pay the \$455.00 appellate filing fee or submit a motion to proceed *in forma pauperis*.

SO ORDERED.

December 3, 2013.



A. JOE FISH
Senior United States District Judge